

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:20-cv-71-MOC**

PATRICK CECIL KELLEY,

Plaintiff,

v.

**KILOLO KIJAKAZI,
Acting Commissioner of
Social Security**

Defendant.

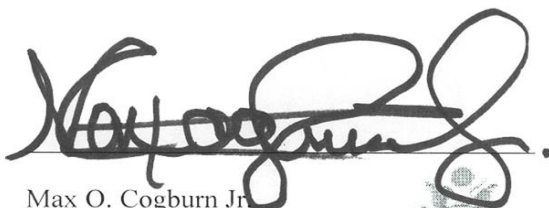
ORDER

THIS MATTER is before the Court on counsel for Plaintiff's Motion for Attorney's Fees under 42 U.S.C. § 406(b) in the amount of \$23,744. (Doc No. 25). Defendant filed a Response to the Motion, noting that under Gisbrecht v. Barnhart, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee. (Doc No. 27). The Court finds that the requested amount is reasonable. The Court therefore **GRANTS** the motion.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's attorney Erik W. Berger is awarded an attorney's fee in the amount of \$23,744 pursuant to the Social Security Act, 42 U.S.C. § 406(b). Plaintiff's counsel shall reimburse Plaintiff \$6,100, representing the sum already paid to counsel on Plaintiff's behalf under the Equal Access Justice Act, 28 U.S.C. § 2412.

Signed: March 27, 2023


Max O. Cogburn Jr.
United States District Judge